FOR MYSORE STATE

Home **(1954) Department.**

Ms **SERIES.**

G.O. No. 2964

Dated 4 10 54

P-1886

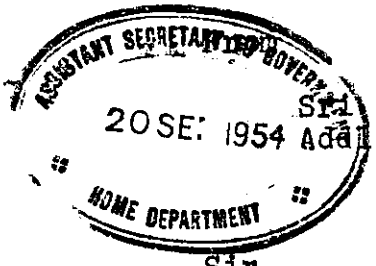
R

[Despatch Abstract.]

Criminal Procedure Code — section 196
Sanction under section 294-A I.P.C.
Prosecution of T. V. Thakkar Assistant
Editor Deccan Herald Bangalore
Kannada Weekly Sanctioned

Ref.5833/54-C5.

Office of the Addl.Dt.Magistrate(I)
South Kanara dated 15.9.54.



To

Sri V.Seetharama Servai,B.A.
Addl.Dt.Magistrate(I) South Kanara.

The Secretary to
Government,
Home Department,
Fort St. George,
Madras 9.

Sir,

123445 C

LOTTERIES--South Kanara District- Udipi ~~taluk~~ Town- Publication of proposals and running Lottery office without authorisation of state Government - offence under Section 294A I.P.C- Sanction to prosecute Sri T.V.Thakkar- Requested.

I enclose a copy of the letter R.C.No.C1/7484/54 dated 4.9.54 received from the Dt.Superintendent of Police South Kanara with the pamphlets issued by Sri T.V.Thakkar Proprietor The Dream-land show Udipi South Kanara. As the purpose of running the lottery was merely to increase the issue of tickets in the show and thus make undue profits, I consider that prosecution is desirable in this case. I request that the Government may be pleased to accord sanction to prosecute Sri T.V.Thakkar, Proprietor 'The Dreamland show' Udipi South Kanara under section 294 A I.P.C.

Yours faithfully,

15.9.54.
For Addl.Dt.Magistrate(I)

Enclosures.

E.R.16.9.54.

Copy of letter R.C.No.C1/7484/54 dated 4.9.54 from the District Superintendent of Police South Kanara Mangalore 1 to the Addl. District Magistrate (Independence) South Kanara Mangalore.

Sub: LOTTERY--Publication of proposals for drawal of lotteries without authorization of the state Government and drawal of lotteries--Offence under section 294A.IPC sanction under section 196 Cr.P.C to prosecute Sri T.V.Thakkar, Proprietor 'The Dream Land Show', Udipi- also to authorise Udipi Police under section 155 Cr.P.C to investigate the case- orders requested.

Sri T.V. Thakkar, Proprietor 'The Dreamland Show Udipi S.K has widely published by means of hand bills that special prizes in the shape of cash, sovereigns, radio sets, wrist watches, bicycles, silk sarees etc would be distributed as gifts by drawing lottery on the gate admission tickets purchased by the public in respect of 'The Dream Land Show' on some specified dates (Viz) 19.3.54, 23.4.54, 24.4.54, 1.5.54, 7.5.54, 8.5.54, 15.5.54, 25.5.54 etc and on other days cash prizes of Rs.10/-.

2. The cost of the entrance ticket to the show is annas 0-3- per head. The lottery is drawn from the gate admission tickets bearing printed serial Nos. The visitors to this show were mainly attracted by the advertisements and offer of attractive prizes and each visitor expecting more chances to win any of the prizes used to purchase extra admission tickets with a view to try his or her luck in having more tickets than one. The proprietor, thus has made abnormal collections by the sale of such tickets.

3) The handbills of the following description are enclosed herewith for favour of reference.

(i) Hand bill advertising the issue of one sovereign as I prize and 3 other prizes on 19.3.54.

(ii) (a) Hand bill advertising the sum of Rs.130/- as first prize and other prizes of Rs.10/- on 23.4.54.

(b) On the reverse of this hand bill the Ist prize for 24.4.54 is advertised as a radio set and 10 other cash prizes.

iii) Hand bill advertising the issue of a new Murphey Radio se T.V.198/34, 5 valves, 2 bands as first prize for 1.5.54 and other 10 cash prizes.

(iv) (a) Hand bill advertising the issue of ~~the~~ two sovereigns as first prize for 7.5.54 and 10 pther cash prizes.

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(b) on the reverse of this hand bill , the 1st prize for 8-5-54 is advertised as a new bicycle and 10 other cash prizes.

(v) Hand bill advertising the issue of ~~one~~ a new bicycle as 1st prize for 15-5-54 and 10 other cash prizes.

(vi) Hand bill advertising the issue of one new bicycle as 1st prize, one sovereign as IInd prize and one silk saree as III rd prize and 12 other prizes on 20-5-54.

(vii) one entrance ticket No. 3607

4. This action of the proprietor Sri T.V. Thakkar in advertising and running this lottery which is not one authorised by the State is an offence punishable under section ~~29-4A~~ 294A I.P.C. The A.P.P.I who was consulted in the matter is of the opinion that the above individual has committed an offence under the 2nd part of Section ~~29-4A~~ 294A I.P.C. which requires the sanction of the local Government under section 196 Cr.P.C. before launching the prosecution. The State Government may kindly be moved to accord necessary sanction to prosecute Sri T.V. Thakkar, Proprietor of the Dreamland Show, Udipi.

5. I also request you, in the meanwhile, to authorise the Udipi Police Sub Inspector under section 155 Cr.P.C. to register the case and investigate.

Encl. 5 hand bills and 1 ticket

- True Copy -

16-9-54

E.R.16.9. - P

For Addl. Dt. Magistrate.

11.9.

C.No. 123445. Home Cons. Dept.

G.O.Ms. No. 2964 dated 4.10.54.

Criminal Procedure Code - Section 196 - Offence under Section 294-A I.P.C - Prosecution of T.V. Thakkar, Proprietor "The Dreamland Show" Udipi, South Kanara District Sanctioned.

Read:

From the Collector of South Kanara, No. Ref. 5858/54-C5 dated 15.9.54.

Order.

Whereas information has been received that T.V. Thakkar Proprietor 'The Dreamland Show', Udipi, South Kanara District was keeping an office or place for the purpose of drawing a lottery at Yellu Bhandari's fields, Udipi, not being a stake lottery or a lottery authorised as specified in Section 294-A of the Indian Penal Code (Central Act XLV of 1860), and that he published proposals relating to the said lottery in circumstances constituting the acts of the said T.V. Thakkar Offences punishable inter alia under the said section 294-A

Now, therefore in exercise of the powers conferred by section 196 of the Code of Criminal Procedure, 1898 (Central

8.

Act V of 1898), the Governor of Madras hereby orders that a complaint be made against the said T.V. Thakkar.

PHD 1.9.54.

R.
22954

To

The Collector of Tiruchirapalli (with a spare copy)

" I.G. of Police, Madras (2 copies)

P.P. Nilgiri

(F.Cs to be prepared for D.S's signature).

Copy to S.F.

11/10

[P.T.O for draft II]

C.No. 123445/54. Home (Cts II) sepn.

Memo No. 12344 rch/54-3 dated 2.10.54

Criminal Procedure Code - Section 196
Prosecution of T.V. T.Rakkar for an offence under Section 294-A. I.P.C.

Draft I
(To be issued after approval)

Ref: G.O.Ms. No. 2964/Home dated 4.10.54

The Collector of South Kanara is referred to G.O. cited and he is requested to depute a suitable officer to prefer a complaint under section 294-A I.P.C against T.V. T.Rakkar.

Pro 21.9.54 for 22/9/54

To
The Collector of South Kanara.
(with pp.1-20 enclosed in original)

22.9.54

Note: Draft I and II above are submitted for approval. May be sent to Law for scrutiny of Draft I before issue.

Pro 21.9.54. for 22/9/54 Law

22.9.54

Law (Courts)

Law

Draft I is in order.

24/9/54

Home

From G.O. 12344 rch/54-3 d. 22.9.54.

ASSISTANT SECRETARY 23 SEP 1954 14495 LAW DEPARTMENT MADRAS

From G.O. No. 14495/54-1 dated 23.9.54

HOME DEPARTMENT 24 SEP 1954 126438

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Home (ch II) sept.

The notes of the law sept overleaf may be perused. The drafts I and II may now issue.

9.54.

29/9/54

28/9/54

D.S